

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GARY G. HAMPTON, JR.,

Plaintiff,

v.

WELSH,

Defendant.

No. 2:20-cv-01001-KJM-DMC-P

ORDER

Plaintiff, a state prisoner proceeding pro se, brings this civil rights action under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge as provided by Eastern District of California local rules.

On March 7, 2024, the Magistrate Judge filed findings and recommendations, which were served on the parties and which contained notice that the parties may file objections within the time specified therein. Plaintiff has filed objections (ECF No. 58) and Defendant has filed a reply (ECF No. 59).

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a *de novo* review of this case. Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by the proper analysis.


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Accordingly, IT IS HEREBY ORDERED as follows:

1. The findings and recommendations filed March 7, 2024, ECF No. 57, are ADOPTED in full.
2. Defendant's unopposed motion for summary judgment, ECF No. 55, is GRANTED.
3. This action is DISMISSED with prejudice for failure to exhaust administrative remedies prior to filing suit.
4. Defendant's motion to stay merits-based discovery, ECF No. 56, is DENIED as moot.
5. The Clerk of the Court is directed to enter judgment and close this file.

DATED: September 16, 2024.


CHIEF UNITED STATES DISTRICT JUDGE